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Summary record of the 51st meeting
Held at Headquarters, New York, on Wednesday, 3 June 2009, at 10 a.m.

Chairman: Mr. Bródi ..... (Hungary)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Ms. McLurg

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The meeting was called to order at 10.20 a.m.

Agenda item 136: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo (A/63/563, A/63/746/Add.16 and A/63/806)

Agenda item 142: Financing of the United Nations Interim Administration Mission in Kosovo (A/63/569, A/63/746/Add.14 and A/63/803 and Corr.1)

Agenda item 147: Financing of the United Nations Mission for the Referendum in Western Sahara (A/63/608, A/63/746/Add.15 and A/63/757)

1. **Mr. Yamazaki** (Controller), introducing the performance report on the budget of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) for the period from 1 July 2007 to 30 June 2008 (A/63/563), said that the General Assembly had appropriated funding of $1,112,739,500 for the maintenance of the Mission and that expenditure had amounted to $1,071,488,800, leaving an unencumbered balance of $41,250,700, which represented an implementation rate of 96.3 per cent. The main causes of the variance were reduced requirements under military observers, United Nations police, air transportation and facilities and infrastructure, partially offset by additional requirements under national staff, United Nations Volunteers and ground transportation. The General Assembly was invited to decide how to treat the unencumbered balance of $41,250,700 for the period from 1 July 2007 to 30 June 2008, as well as other income for the period ended 30 June 2008 amounting to $28,723,800.

2. The proposed budget of $1,423,169,600 for the period from 1 July 2009 to 30 June 2010 (A/63/806) reflected a 19.8 per cent increase relative to the funding of $1,187,676,400 appropriated by the General Assembly for the maintenance of the Mission for 2008/09. The main causes of the variance were a temporary increase of authorized military strength, resulting in additional requirements for the reimbursement of contributing Governments for personnel and equipment costs, rations and travel costs; additional requirements for international and national staff; increased requirements for the acquisition of various types of equipment and services under facilities and infrastructure; deployment of additional aircraft; replacement of vehicles and acquisition of additional vehicles; and increased requirements under other supplies, services and equipment. The General Assembly was invited to appropriate the amount of $1,423,169,600 to maintain the Mission for the period from 1 July 2009 to 30 June 2010 and to assess the amount of $711,584,800 for the period from 1 July to 31 December 2009 and the further amount of $711,584,800 for the period from 1 January to 30 June 2010, at a monthly rate of $118,597,467, should the Security Council decide to continue the Mission's mandate.

3. Introducing the performance report on the budget of the United Nations Interim Administration Mission in Kosovo (UNMIK) for the period from 1 July 2007 to 30 June 2008 (A/63/569), he said that the General Assembly had appropriated funding of $220,476,400 for the maintenance of the Mission and that expenditure had amounted to $220,466,600, leaving an unencumbered balance of $9,800, which represented near full utilization of the approved resources. The main causes of the variance were increased requirements for military liaison officers, international staff, national staff and general temporary assistance, partially offset by reduced requirements with respect to special police personnel, facilities maintenance, commercial communications and maintenance of communications equipment. The General Assembly was invited to decide how to treat the unencumbered balance of $9,800 for the period from 1 July 2007 to 30 June 2008, as well as other income for the period ended 30 June 2008 amounting to $5,403,900.

4. The proposed budget of $47,082,000 for the period from 1 July 2009 to 30 June 2010 (A/63/803) reflected a 76.2 per cent decrease relative to the funding of $198,012,000 appropriated by the General Assembly for the maintenance of the Mission for 2008/09. The main causes of the variance were the reconfiguration of UNMIK, including a substantial drawdown of Mission personnel; lower generator and vehicle fuel requirements; and the discontinuation of commercial helicopter services. The General Assembly was invited to appropriate and assess the amount of $47,082,000 to maintain the Mission for the period from 1 July 2009 to 30 June 2010.

5. Introducing the performance report on the budget of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for the period from 1 July 2007 to 30 June 2008 (A/63/608), he said that the General Assembly had appropriated funding of $46,075,800 for the maintenance of the Mission and

that expenditure had amounted to $45,520,300, leaving an unencumbered balance of $555,500, which represented an implementation rate of 98.8 per cent. The main causes of the variance were reduced expenditure under facilities and infrastructure and air transportation. The General Assembly was invited to decide how to treat the unencumbered balance of $555,500 for the period from 1 July 2007 to 30 June 2008, as well as other income for the period ended 30 June 2008 amounting to $1,167,900.

6. The proposed budget of $54,358,300 for the period from 1 July 2009 to 30 June 2010 (A/63/757) reflected a 19.2 per cent increase relative to the funding of $45,600,800 appropriated by the General Assembly for the maintenance of the Mission for 2008/09. The main causes of the variance were additional requirements under international staff and facilities and infrastructure; the replacement of 67 vehicles that had reached the replacement requirement of five years or older; and the proposed acquisition of additional satellite equipment. The General Assembly was invited to appropriate the amount of $54,358,300 to maintain the Mission for the period from 1 July 2009 to 30 June 2010 and to assess that amount at a monthly rate of $4,529,858, should the Security Council decide to continue the Mission's mandate.

7. **Ms. McLurg** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the Advisory Committee's report on the financing of MONUC (A/63/746/Add.16), said that the Advisory Committee's recommendations, which included the application of a higher delayed deployment factor for military and police personnel, a higher vacancy rate for international staff and a reduction of $50 million in operating costs, would entail an overall reduction of $66,818,200 in the Mission's budget.

8. One of the major factors affecting the budget for 2008/09 had been the planned provision of support by MONUC to direct local elections. Given that those elections were now expected to take place in the first trimester of 2010, the Mission would have to shift its focus for 2009/10 from post-electoral activities to supporting preparatory electoral activities and the conduct of elections, for which, however, no provision had been made in the proposed budget. The Advisory Committee had been informed that the Mission intended to use proposed staffing resources to support such activities and would submit a revised budget once the dates of the elections, and related requirements, were known. Consequently, the Advisory Committee had not commented on the election-related resource requirements set out in the Secretary-General's report (A/63/806). It recommended that revised estimates of staffing and operational costs related to the provision of support to local elections in 2009/10 should be submitted to the General Assembly, through the Advisory Committee, and that information on the use of resources currently included in the budget for 2009/10 should also be provided.

9. It had become clear only after extensive questioning that the elections had not taken place as planned during the 2008/09 period and that, consequently, the assumptions on which the proposed budget was based did not accurately reflect the activities envisaged. Furthermore, the Advisory Committee had learned that a significant portion of the resources allocated for electoral assistance for 2008/09 had not been utilized for that purpose but had been redirected towards the Mission's mandated refocus on the eastern part of the country. That information, which was directly relevant to the resource requirements for 2009/10, should have been provided to the Advisory Committee at the outset of its discussions on those requirements; an addendum to the Secretary-General's report (A/63/806) should also have been issued. Because of time pressures, the Advisory Committee had not been able to wait for such documentation to be issued. It hoped that lessons learned would be used to improve planning and execution of the budget process so that such situations could be avoided in future.

10. Introducing the Advisory Committee's report on the financing of UNMIK (A/63/746/Add.14), she said that the Advisory Committee had been informed, upon enquiry, that the resources proposed by the Secretary-General were adequate to fulfil the Mission's mandate for 2009/10. It therefore recommended approval of the proposed budget, with the exception of $37,800 under operational costs; that small reduction related to the average used for calculating fuel requirements. The Advisory Committee also recommended that information on income received from cost-sharing arrangements should be included in future budgets.

11. Introducing the Advisory Committee's report on the financing of MINURSO (A/63/746/Add.15), she said that the Advisory Committee's recommendations would entail an overall reduction of $311,700 in the proposed budget for 2009/10, corresponding to

reductions under civilian personnel and the calculation of estimated fuel requirements for 2009/10 on the basis of the average fuel cost for the first three months of 2009.

12. Although MINURSO was a long-standing peacekeeping operation, with no recent change in mandate, the estimated operational requirements for 2009/10 had risen by almost 26 per cent compared with 2008/09. The Advisory Committee encouraged the Mission to use its resources prudently and to increase its operational efficiency with a view to possible savings.

13. **Ms. Pataca** (Angola), speaking on behalf of the Group of African States on agenda item 136, said that the agreement signed between the Government of the Democratic Republic of the Congo and the Congrès national pour la défense du peuple (CNDP) on 23 March 2009 was an important development for the country. Among other matters, the agreement provided for the transformation of CNDP into a political party and the establishment of local and national reconciliation mechanisms.

14. The Group believed that United Nations support for the security and stabilization of eastern Democratic Republic of the Congo was central to extending basic state authority through a combination of military, political, development and humanitarian initiatives. MONUC could fulfil its mandate only if it was provided with sufficient resources to do so. In that connection, the Group was concerned that the budget cuts recommended by the Advisory Committee could hinder the Mission's effective functioning.

15. The Group welcomed the Mission's intention to continue promoting the use of the Entebbe logistics hub as a shared resource for other United Nations operations in the region and encouraged its further enhancement as the most logical facility for the support of peacekeeping operations in Africa.

16. **Mr. Starčević** (Serbia), speaking on agenda item 142, said that Serbia was deeply concerned at the scale of the proposed reduction in UNMIK funds and personnel, which went beyond what had been welcomed by the Security Council and therefore contravened Security Council resolution 1244 (1999). In particular it was unacceptable that the so-called "Kosovo Constitution", born out of the unilateral declaration of independence by the ethnic-Albanian authorities of Serbia's southern province, was presented as the basis for the reduction, thereby contradicting the status-neutral position of UNMIK.

17. He was also concerned that the budget proposal allocated funds only to residual functions in the vital rule of law area. The Security Council had never endorsed the wholesale transfer of rule of law functions from UNMIK to the European Union Rule of Law Mission in Kosovo (EULEX) or agreed to the total disbandment of the UNMIK rule of law component. Furthermore, the Secretary-General's report of 24 November 2008 on UNMIK (S/2008/692), which also underlined that the Comprehensive Proposal for the Kosovo Status Settlement (S/2007/168/Add.1) had not been endorsed by the Security Council, referred only to an enhanced operational role for EULEX in the rule of law area. In that connection, the new Police and Justice Liaison Office should not only perform UNMIK residual functions but should also serve as the focal point for an active, two-way process of cooperation with EULEX.

18. It was of vital importance that the Mission should have a field presence not only in the town of Kosovska Mitrovica, but also south of the Ibar river, where almost 60 per cent of the remaining Serb population lived. The proposed establishment of an Office for Community Support and Facilitation partially met his Government's concerns about the safety of the Serb community and its important cultural heritage sites.

19. In view of the need for coordination and cooperation between UNMIK and EULEX, a post of Coordinator for EULEX at the D-2 level, and three Professional posts in the three core EULEX functions should be established in the Office of the Special Representative of the Secretary-General. That could be achieved through a redistribution of allocated resources, without necessarily entailing budgetary implications. At least three new Legal Officer posts should also be established for the Human Rights Advisory Panel, in addition to those proposed by the Secretary-General, considering the scope of the work still before the Panel. Furthermore, specific budget allocations should be made for the full implementation of the provisions of the Secretary-General's report (S/2008/692) and for various targeted campaigns. Since, pursuant to the Constitutional Framework for Provisional Self-Government in Kosovo, all laws adopted by the Kosovo Assembly must be promulgated by the Special Representative of the Secretary-General, it would also be appropriate to establish additional

Legal Officer posts in the Office of Legal Affairs, to analyse such legislation prior to its promulgation.

20. **Mr. Prokhorov** (Russian Federation), speaking on agenda item 142, said that the significant reductions in the staff and resources of UNMIK proposed for the period from 1 July 2009 to 30 June 2010 should be re-examined with a view to making corrections, as they failed to take due account of the actual situation in the province.

21. The proposals for a redistribution of responsibilities within the Mission, particularly the widening of the duties of the Chief of Staff to encompass assistance to the Special Representative in the implementation of issues of practical concern to both Pristina and Belgrade in six technical areas (police, courts, customs, transportation and infrastructure, boundaries and Serbian patrimony) were a matter of concern. He wondered whether that auxiliary role meant that members of the Office of the Chief of Staff would actually participate in dialogue on those technical matters, or rather fulfil a mentoring function. The primary accountability for contacts in connection with discussion of those technical issues should lie with the Special Representative and the Special Representative's Office. There was no point in establishing parallel or duplicate structures.

22. The proposed reorganization of the Mission did not sufficiently consider the need to support cooperation between UNMIK and EULEX, particularly in matters connected with police, customs and judicial authorities. In view of the proposed reinforcement of the Mission's Human Rights Advisory Panel and Office of Legal Affairs, it should be possible to envisage increasing staff in those areas. In that connection, the proposals made by the representative of Serbia deserved support.

The meeting rose at 11.10 a.m.